

# Small claims procedure: MEPs strike a deal with Council

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**A draft law to improve and broaden the use of a simplified procedure for low-value cross-border claims to recover money from abroad, was informally agreed by MEPs and the Latvian Presidency of the Council on Tuesday. New rules, which still need to be approved by Parliament and the Council, would raise the threshold for claims covered by the procedure from EUR 2,000 to EUR 5,000.**

“According to estimates, the European Small Claims Procedure has reduced the costs of litigation for cross-border small claims by up to 40% and the duration of litigation from two years and five months to an average of five months so I am pleased that with these new rules the procedure will be available for more cases,” said the lead MEP, Lidia Joanna Geringer de Oedenberg (S&D, PL).

“Simplifying the litigation process and reducing the costs of cross-border small claims, for example by encouraging the use of videoconferencing, is important especially for consumers and small and medium-sized enterprises. To facilitate citizens' access to justice even further, we should also consider the possibility of making the procedure available for claims based on employment law,” she added.

[The European Small Claims Procedure](#), in use since 2009, is a simplified procedure based on [standard forms](#) for recovering money owed by someone in another EU country. The proposed changes would make the procedure available for more cases, cut court fees and encourage the use of electronic communications, such as videoconferencing, and means of distance payment.

## Raising threshold for small claims

To broaden the use of the procedure while safeguarding the procedural rights of citizens, MEPs and the Latvian Presidency agreed to extend the procedure to cross-border claims worth up to EUR 5,000. Currently, the procedure is available only for cases with a value of up to EUR 2,000.

## Review in five years: broaden the scope to employment law?

The possibility of raising the threshold even further will be examined during the first five years of the application of the new rules. MEPs managed to ensure that the implications of extending the procedure to cases based on employment law, such as claims relating to salaries earned in different member states, will also be assessed within the next few years.

## No disproportionate court fees

Under the agreed rules, the fees for using the European Small Claims procedure should not be disproportionate and should be no higher than the court fees charged for national simplified court procedures.

## Next steps

The provisional agreement now has to be confirmed by the legal affairs committee and then by the Council and Parliament as a whole.

# Press release

## Background

*The small claims procedure could be used for example by an online shopper who orders a product from another EU country and receives a faulty product but does not manage to reach agreement with the seller on compensation. The shopper would simply need to submit a standard multi-language form to the competent court. If the court rules in favor, the decision would be enforced in the countries concerned.*

## Further information

- Committee on Legal Affairs: <http://www.europarl.europa.eu/committees/en/juri/home.html>
- Lidia Joanna Geringer de Oedenberg (S&D, PL): <http://www.europarl.europa.eu/meps/en/28377.html>
- Procedure File:  
[http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0403\(COD\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0403(COD)&l=en)
- European Commission: European Small Claims Procedure (Citizen factsheet):  
[http://ec.europa.eu/justice/civil/files/2013\\_small\\_claims\\_factsheet\\_en.pdf](http://ec.europa.eu/justice/civil/files/2013_small_claims_factsheet_en.pdf)
- European Small Claims Procedure: Forms: [https://e-justice.europa.eu/content\\_small\\_claims\\_forms-177-en.do](https://e-justice.europa.eu/content_small_claims_forms-177-en.do)
- EP research: European Small Claims Procedure, Legal Analysis of the Commission's proposal to remedy weaknesses in the current system:  
[http://www.europarl.europa.eu/RegData/etudes/IDAN/2014/542137/EPRS\\_IDA\(2014\)542137\\_REV1\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2014/542137/EPRS_IDA(2014)542137_REV1_EN.pdf)

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